United Nations A/C.3/55/SR.51

General Assembly
Fifty-fifth session

Official Records

Distr.: General
3 January 2001
English
Original: French

Third Committee

Summary record of the 51st meeting
Held at Headquarters, New York, on Wednesday, 8 November 2000, at 10 a.m.

Chairperson Ms. Gittens-Joseph ..... (Trinidad and Tobago)

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00-73358 (E)

The meeting was called to order at 10.20 a.m.

Agenda item 109: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/55/12 and Add.1, A/55/471, A/55/472, A/55/545* and A/55/506-S/2000/1006)

1. **Mr. Al-Aiderouse** (Yemen) thanked the United Nations High Commissioner for Refugees for the assistance provided to the many civilians who, all too often in modern warfare, became targets and even weapons and were forced to flee their homes in the face of impending danger. However, the High Commissioner's report (A/55/12) did not reflect the situation in Yemen and underestimated the number of refugees fleeing the conflict zones in the Horn of Africa and flocking daily into Yemen, where they received aid and assistance as dictated by humanitarian principles. Without disputing the need to help that particular category of refugees, he drew attention to the environmental, political and economic problem which the arrival of undeclared persons posed for host countries, particularly those with limited resources.

2. In that context, his delegation appealed to Governments and regional and international organizations to work together to strengthen peace efforts and bring about national unity in Somalia, thereby enabling refugees and displaced persons to return home.

3. The humanitarian problem posed by refugees and displaced persons must be tackled from an international, global perspective, involving cooperation among Governments, host countries and countries of origin, donor countries and international organizations, particularly the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC). Cooperation among UNHCR, development agencies and the international financial institutions also needed to be coordinated.

4. **Mr. Kouliev** (Azerbaijan) praised the work done by the High Commissioner and her professionalism and expressed the hope that her successor would spare no effort to find a just solution to the refugee question, which was a crucial problem for the international community and for Azerbaijan in particular. There were 1 million refugees and displaced persons in Azerbaijan as a result of the aggression by the Republic of Armenia and its occupation of a fifth of Azerbaijan's territory. That was why the Representative of the Secretary-General on Internally Displaced Persons visited Azerbaijan, and a report on his visit had been submitted to the Commission on Human Rights at its fifty-fifth session.

5. His Government firmly intended to continue raising the issue of the ongoing conflict and its consequences, until such time as the problem settled peacefully. Solving the problem of refugees and displaced persons meant ensuring the withdrawal of the Armenian occupation forces from Azerbaijani territory. The Presidents of the two countries were holding talks on the subject, but the efforts of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) had unfortunately not achieved the desired results. His Government called on the United Nations to take all necessary measures to avert any action intended to prevent the refugees and displaced persons from exercising their legitimate right to return home.

6. While thanking UNHCR and donor countries for their assistance, his Government was forced to admit, as indeed the High Commissioner had done at the fiftieth session of the Executive Committee of the High Commissioner's Programme, that, with the advent of new emergency situations in the world, the situation in the southern Caucasus had ceased to be a priority for the international community, resulting in a decrease in aid. A further cause for concern was the fact that several international organizations had decided to cut back prematurely on their recovery programmes and to move directly from the emergency phase to development, reconstruction or reintegration projects. His Government believed firmly that long-term development projects must be accompanied by the provision of basic humanitarian aid to those in greatest need. His President had in fact emphasized that point while taking part in the international conference on development problems and strategic guidelines held on 18 May 2000, at which a job-creation strategy had been developed to enable refugees and displaced persons to provide for their own needs. His delegation therefore once again appealed to international humanitarian organizations and donor countries not to reduce their assistance to the refugees and displaced persons in Azerbaijan.

7. In that respect, he wished to emphasize the role played by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Commonwealth of Independent States and Relevant Neighbouring States, held in Geneva in 1996, in solving the problem of refugees and displaced persons and the fact that Azerbaijan was prepared to continue participating in it for a further five years. At the same time, however, his delegation wished to make it clear that participation by a group of countries in the work of the Conference could not be equated with regional cooperation. Nor could his delegation accept the notion of subregional cooperation, which, without a settlement of existing conflicts, could be unproductive and even create friction among States.

8. His Government believed that the problem could not be solved outside existing conflict settlement mechanisms, and it could not agree to the design of a uniform strategy for donor financial aid, since the different circumstances and consequences of population displacements in each country must be taken into account.

9. His Government also attached great importance to bilateral cooperation with UNHCR and other international organizations and believed that the Geneva process should continue in a way that did not prevent direct links with donor organizations and countries.

10. Lastly, his delegation wished to draw the Committee's attention to the agreement reached on 5 September 2000 between Armenia and the puppet regime of Nagorno-Karabakh, which envisaged, inter alia, that the Armenian population of Nagorno-Karabakh would number 300,000 persons within the next 10 years, thereby clearly demonstrating the occupying forces' real intentions.

11. **Mr. Valdivieso** (Colombia) expressed support for the work which UNHCR was doing pursuant to General Assembly resolution 53/125 and thanked it for the technical and financial assistance provided to his country in accordance with the memorandum of understanding of January 1999. He also endorsed the Guiding Principles on Internal Displacement submitted to the Commission on Human Rights in 1998, although he acknowledged that their implementation would need to be negotiated. His delegation stressed that voluntary repatriation represented the best solution to the world refugee problem; and was therefore concerned that an increasing number of countries were flouting the principle of non-refoulement, opting instead for measures which gave precedence to national interests over international responsibilities.

12. His Government had released funds to set up programmes for the return, resettlement and economic stabilization of persons displaced by the internal conflict. In October 2000, the Presidents of Colombia and Ecuador had signed an agreement on joint management of the border zone.

13. His Government deplored the inaccuracy of the global statistics on internally displaced persons compiled by non-governmental and governmental organizations which did not use the same criteria in making their estimates and were forced to operate in crisis situations, in the midst of conflict. Those statistics were not as reliable as the statistics on refugees, produced by UNHCR in collaboration with the different Governments, especially since they did not take account of persons who had returned home, had been resettled, or whose economic situation had stabilized but did, on the other hand, reflect the phenomenon of rural exodus caused by poverty. That tendency to under-estimate the progress achieved made it more difficult to obtain the resources needed to speed up the normalization process. His delegation nevertheless wished to thank UNHCR for the attention which it devoted to that issue in its relations with development financing institutions, particularly the World Bank and the United Nations Development Programme (UNDP), with the active participation of the Brookings Institute.

14. **Mr. Tessema** (Ethiopia), citing the report of the United Nations High Commissioner for Refugees (A/55/12), expressed regret that millions of people were currently of concern to UNHCR, including women and children who were the victims of mass expulsions, rape, mutilation and other grave physical abuse, arbitrary detention and extrajudicial killings.

15. In his recent report (A/54/409), the Representative of the Secretary-General on Internally Displaced Persons estimated that some 20 to 25 million persons in at least 40 countries worldwide were in need of international assistance, a problem compounded by the insecurity confronting humanitarian workers.

16. In Africa, the problem of refugees and displaced persons was particularly grave and complex, and it was

time for the African countries, in cooperation with UNHCR and the international community at large, to devise a comprehensive refugee strategy, based on African values, which would give priority to the resolution of armed conflicts and would address the issue of finding a sustainable solution to the refugee problem, in particular through voluntary repatriation, integrated rehabilitation and reconciliation.

17. UNHCR must enhance its human and material capacities, which were currently woefully deficient, and place more emphasis on cooperation and burden-sharing.

18. Ethiopia currently had a refugee population of well over 300,000, making it one of the top four refugee-hosting countries in Africa. The huge influx of over 300,000 Ethiopians displaced as a result of Eritrea's unprovoked aggression against Ethiopia since May 1998 had made that burden even heavier.

19. **Mr. Lordkipanidze** (Georgia) said that an analysis of the nature and dynamics of contemporary conflicts, which resulted in population displacements, underscored the need for a concerted strategy for the protection of refugees and displaced persons. In his country, where 300,000 refugees and displaced persons had sought refuge from persecution and ethnic cleansing in Abkhazia, UNHCR efforts to encourage Working Group II on refugees and internally displaced persons of the Georgia/Abkhazia Coordinating Council to ensure that the parties to the conflict signed a protocol on the return of refugees and displaced persons represented a step in the right direction.

20. The endemic lawlessness in Abkhazia, which was underscored in the report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/2000/1023), reflected the urgent necessity of ensuring the security of returnees and the protection of their human rights. The efforts of international organizations should go beyond merely urging the Abkhaz party to respect the human rights of returnees. It was, after all, that same party which, in response to the appeals of the international community, had embarked upon a new wave of ethnic cleansing against the Georgian population in May 1998 and had demolished thousands of houses built for them by UNHCR. The United Nations, in particular UNHCR and the Office of the United Nations Commissioner for Human Rights, should devise a temporary special status for returnees to enable them to exercise their basic rights and live in a secure environment. Protection of that temporary status should be entrusted either to the provisional administration operating under the aegis of the United Nations or to the local administration elected as a result of free elections to be held in the region. The United Nations should also deploy civilian police units for that purpose. In other words, the situation in the conflict zone required the implementation of the "medium" options from the "ladder of options" long advocated by the High Commissioner for Refugees.

21. UNHCR should also put an end to the culture of impunity in the conflict zone. Unless the facts of the ethnic cleansing and genocide in Abkhazia were established and the perpetrators brought to justice, flagrant human rights violations were bound to become the norm. In that connection, his Government attached great importance to the full implementation of the Guiding Principles on Internal Displacement, as well as other applicable international human rights instruments and humanitarian norms. Nothing in current international law precluded non-State actors from being held responsible for gross human rights violations.

22. Regarding the need to address the gap between humanitarian assistance and long-term development in post-conflict situations (one of the five areas in which UNHCR planned to take concrete measures), it seemed expedient to establish a special organ, within the framework of the Coordinating Council and led by UNHCR, to develop programmes to assist vulnerable groups. In that connection, his delegation noted with appreciation the expanding cooperation between UNHCR, the Office of the United Nations Commissioner for Human Rights, the Office for the Coordination of Humanitarian Affairs, UNDP and the World Bank. The "new approach" in Georgia developed by those bodies and endorsed by the Government was an example of that kind of cooperation, in which humanitarian assistance and development assistance converged. His Government planned to involve civil society, particularly non-governmental organizations, in implementing the new approach and was engaged in consultations with them on a number of issues (inter alia, improving the living conditions of displaced persons in camps, protecting their civil rights, implementing job-creation projects for them, improving understanding of the basic principles of the new UNHCR approach). His

Government was committed to continuing its close cooperation with UNHCR, UNDP, the World Bank and the Office for the Coordination of Humanitarian Affairs, as well as with local and international non-governmental organizations.

23. UNHCR activities in Georgia went far beyond addressing the needs of refugees and displaced persons from Abkhazia. It was contributing to the peace efforts in the Tskhinvali region of South Ossetia and addressing the complex and sensitive issues of deported peoples. In that connection, it was necessary to ensure that the UNHCR office in Georgia had adequate resources to carry out its tasks. In addressing the issues of refugees and displaced persons in Georgia, due regard should also be had to the follow-up to the 1996 Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States.

24. **Ms. Raguź** (Croatia) said that displaced persons required special attention from the international community, for they often lacked the protection and resources accorded to refugees. The Representative of the Secretary-General on Internally Displaced Persons and the Secretariat had made commendable efforts to disseminate the Guiding Principles on Internal Displacement drawn up by the Representative, which should contribute specifically to resolving the issue. Given the high risks faced by the personnel of UNHCR and the various humanitarian organizations, measures to protect their security must be adopted without delay.

25. For many years, her Government had been resettling displaced persons and repatriating Croatian refugees, thereby showing the enormous importance it attached to the process of return as the means of normalizing living conditions in the areas of the country affected by the war. Since the beginning of the year, over 30,000 persons of both Croatian and Serbian nationality had returned to their homes in Croatia, as had over 16,000 members of minorities. A prerequisite for the returns was the rebuilding of the homes and the social infrastructures that had been destroyed during the war. Hoping to accelerate the process, her Government had developed a project for the voluntary repatriation and durable reintegration of Croatian refugees, which had been included in the Stability Pact for South-Eastern Europe. The reconstruction called for under the project would provide housing for at least 23,000 families. Legal steps had also been taken to repeal discriminatory legislative provisions and amend existing laws, so that all returnees without distinction could regain possession of their property or be entitled to the reconstruction of a house or an apartment and enjoy all the other rights related to return. Temporary, and if possible permanent, housing would also be furnished to the approximately 10,000 refugees from Bosnia and Herzegovina and the Federal Republic of Yugoslavia who did not wish to return to their countries.

26. The overall success of the return process in Croatia would depend on the country's economic situation and particularly on the rate of implementation of development projects, which in turn depended on the availability of funding and thus the generosity of donors. Croatia thanked those nations which had pledged contributions under the auspices of the Stability Pact and other regional and international mechanisms. The Development Bank of the Council of Europe had approved a loan of 30 million euros to her Government to help it hasten the return process, and the Government itself was to provide matching funds from the national budget. It counted on UNHCR to continue advocating assistance from the international community, particularly within the framework of the Stability Pact.

27. **Ms. Diogo** (Canada), deploring the recent murders of UNHCR staff in West Timor and Guinea, urged that the perpetrators be brought to justice. Canada called on all countries to take measures to improve the security of humanitarian workers.

28. UNHCR continued to face many challenges in dealing with refugees and displaced persons. It needed in particular to deal with the situation of refugees who often spent years in camps — which was true for Afghan refugees and refugees from the Great Lakes region of Africa — and to resolve the problems of lack of security in the refugee camps, lack of access to displaced populations, restrictions on asylum and the politicization of refugees. It was incumbent upon States as well to help resolve such questions. They must assist UNHCR in taking more comprehensive and effective action when refugee crises occurred, which meant creating better linkages between humanitarian assistance and development cooperation and a stronger relationship between the respective actors in the humanitarian system, and enhancing cooperation between the States themselves, civil society and the

refugees and displaced persons. The fiftieth anniversary of the founding of UNHCR and the entry into force of the 1951 Convention relating to the Status of Refugees, should provide an opportunity for stocktaking. Canada would be an active participant in the upcoming UNHCR global consultations on international protection organized in connection with the anniversary and hoped that the consultations would make it possible to fill the gaps in the institution of asylum and improve the system of international protection as a whole.

29. It was unlikely that the challenges facing the international community with regard to refugees and displaced persons would diminish in the near future or become less complex. UNHCR must therefore take steps to improve the management of its programmes; a more strategic planning process would be important in that connection. Yet such initiatives would not in themselves not be sufficient. It could not be overemphasized that States must address the root causes of movements of refugees and displaced persons by creating the necessary conditions to prevent the displacement of their own populations.

30. **Mr. Babar** (Pakistan) said that he strongly condemned the acts of violence targeting UNHCR staff and other humanitarian personnel, who deserved tribute.

31. In her report (A/55/12), the High Commissioner indicated that the number of persons of concern to her Office had increased slightly in 1999 from 21.5 million to 22.3 million. Among those, the refugees were often the most helpless. Forced to leave their homes and homelands to save their lives, they needed special protection in order to live in security and receive education and health care. Furthermore, the States hosting large refugee populations as first countries of asylum were often developing countries with meagre resources at their disposal. The influx of refugees had a devastating effect on their social and economic infrastructures. They deserved the international community's full support in assuming responsibility for the refugees in their countries; burden-sharing ought to be one of the pillars of the international refugee protection regime.

32. The High Commissioner also indicated in her report that many of the persons falling within the mandate of her Office were placed in detention or subjected to restrictive measures in various parts of the world. That was regrettable for it reflected the trend among a number of States to move away from a law- or rights-based approach to the protection of refugees and displaced persons towards arrangements that gave primacy to domestic political concerns over international responsibility. Sometimes, unfortunately, those restrictive policies were resorted to by countries claiming to champion human rights.

33. Pakistan had the sad distinction of having hosted the largest refugee population in the world for more than two decades. At the peak of the exodus of Afghan refugees, there were more than 3.5 million of them in Pakistan. In many districts, they outnumbered the native population. Their presence for such a prolonged period had inflicted an enormous economic, social and environmental cost on his country: the livestock the refugees had brought with them had contributed to denuding entire mountain ranges and causing severe soil erosion. Yet Pakistan had not been deterred from continuing to receive them without imposing any restrictions. The Afghan refugees enjoyed total freedom of movement in the country and had the right to work. Although many of them — approximately 2 million — had returned to Afghanistan, more than 1.8 million had remained. In recent months, as a result of the drought devastating Afghanistan, more than 28,000 fresh refugees had arrived in Pakistan. It was feared that if the drought did not improve, a much larger number of Afghans could be expected to cross the border into Pakistan in the coming months. The international community, and particularly the United Nations system, must help the Kabul authorities to offset the impact of the drought on their population, thus avoiding massive population displacements in the region.

34. In the longer term, voluntary repatriation of Afghan refugees was seen by the international community as the preferred solution. However, in order to promote voluntary repatriation, there must be a return of peace and security, the reconstruction of infrastructures, the clearance of unexploded land mines and the creation of adequate living and working conditions, none of which was unfortunately currently the case in Afghanistan. Afghan refugees were unable to return to the parts of their country that were at peace because of the absence of the necessary infrastructures. The international community should work to develop a new approach and find ways of facilitating the return of the refugees to their homes with dignity.

35. **Mr. Lim** Jae-hong (Republic of Korea) said he would take the opportunity of the forthcoming fiftieth anniversary of the Office of the United Nations High Commissioner for Refugees (UNHCR) to draw lessons from the past, pointing out first that the principles of the 1951 Convention relating to the Status of Refugees should serve as a starting point for the efforts undertaken to respond to the mass influx of refugees, asylum-seekers and illegal immigrants. He agreed with the High Commissioner that an effective international protection regime should be established to counter the tendency of Governments to make it ever harder for asylum-seekers to gain admission and to clear up the confusion in the public mind about perceived abuses of the asylum system. He approved the launching of the Global Consultations with Governments, which would help to reach a balance between humanitarian considerations and host countries' concerns and also promote the 1951 Convention.

36. He went on to refer to the issue of the safety of humanitarian workers, which had been illustrated so tragically by the incidents in September 2000 in West Timor and Guinea. He recalled that it was his country that had first introduced that issue during its presidency of the Security Council in May 1997, thus opening the way to major follow-up measures and to the adoption by the General Assembly of resolution 54/192 on safety and security of humanitarian personnel and protection of United Nations personnel. His country, which welcomed the Secretary-General's recommendations in his report on safety and security of United Nations personnel (A/55/494), eagerly awaited the results of the Inter-Agency Standing Committee's work on a joint approach to security for all humanitarian workers.

37. He called on the international community to commit itself to resolve the problem of refugees and commended the work of Mrs. Ogata, to whom the Seoul Peace Prize had been awarded in mid-October 2000.

38. **Mr. Pradhan** (Bhutan) warmly commended the tireless efforts of Mrs. Ogata to alleviate the suffering of millions of refugees throughout the world, which had earned admiration and respect, and expressed the conviction that Mr. Lubbers would prove a worthy successor.

39. As the representative of Bhutan had said at the fifty-first session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, it was of paramount importance to draw a clear distinction between genuine refugees and illegal and economic migrants motivated to leave their countries by the population explosion, environmental degradation and extreme poverty because, by devoting to them the slender resources available to it, UNHCR would merely encourage illegal immigration and deprive genuine refugees of the assistance they needed.

40. Replying to the statement made on 7 November by the representative of Nepal concerning people in refugee camps in eastern Nepal, his delegation pointed out first that no UNHCR report provided support for the figure of over 100,000 refugees from Bhutan; second, it was well established that thousands of Nepalese had illegally entered Bhutan as economic migrants and that Bhutan had granted refuge and citizenship to them to the point where they currently comprised approximately 25 per cent of the total population of the country and had been fully integrated into Bhutanese life. Any further influx would, however, threaten the peace, security and sovereignty of the country. Third, as the representative of Nepal had stated, the Governments of Bhutan and Nepal were holding bilateral talks to resolve that problem and, recognizing that there were several different categories of people in the camps, were discussing the establishment of a mechanism for separating genuine refugees from the displaced Nepalese who were compelled to take advantage of the camps. Fourth, his country wished to thank UNHCR for having provided it with a database on the people in the camps, since the Nepalese Government had refused to provide such a list despite repeated requests. The database would prove very useful in the verification process. Lastly, his country was deeply concerned about the plight of the people in the camps, which it saw as a humanitarian problem and was committed to finding a speedy, just and durable solution through the bilateral process.

41. **Ms. Samah** (Algeria) said that, since the creation of the Office of the United Nations High Commissioner for Refugees, the fiftieth anniversary of which would fall on 14 December 2000, other situations had arisen throughout the world, the varied and complex causes of which continued to throw millions of human beings into exile. As the High Commissioner had said, it was to be hoped that, on that occasion, as well as on the fiftieth anniversary of the Convention relating to the Status of Refugees in 2001, the international

community would celebrate not UNHCR but rather the refugees — their courage, their determination and their capacity to survive against all odds. Similarly, the decision that might be taken by the General Assembly at its current session to transform Africa Refugee Day on 20 June each year into World Refugee Day would serve the interests of such people.

42. In recent years, the workload and responsibility of UNHCR had been increasing whereas the financial resources available to it were constantly decreasing, thus jeopardizing the solidarity that was needed in certain regions. The international community should therefore renew its support for the Office by at least maintaining the level of its contributions thereby enabling it, until such time as definitive solutions were found, to relieve human suffering, particularly in the developing countries, which received the largest number of refugees.

43. The volume of aid to Africa was constantly falling at a time when there were 6.25 million refugees and other persons in Africa falling within the mandate of UNHCR. It was therefore essential for the international community to mobilize still further by diverting the same volume of assistance to African refugees as it provided for other emergency situations.

44. The Algerian people, who were traditionally hospitable and supportive and had themselves experienced exile during their war of national liberation, responded favourably to those who sought refuge and protection. It was in that spirit that her country had provided, and would continue to provide, aid to the Saharan refugees, jointly with UNHCR and other international public and private organizations and bodies, pending a just and definitive settlement of the conflict in Western Sahara in accordance with the 1988 United Nations/OAU settlement plan and the Houston agreements.

45. **Mr. Tekle** (Eritrea) said that his delegation once more had to inform the Committee of the worsening of human rights violations against Eritreans and against Ethiopians of Eritrean origin. In the past two years, innocent civilians from both countries had been obliged to flee from their homes in the face of three attacks by Ethiopia and the occupation of a part of sovereign Eritrean territory, including towns and villages. The appalling plight — suffering, privations and terror — of tens of thousands of displaced persons had been attested by several United Nations and independent sources. In a press release of 4 October, the United Nations High Commissioner for Refugees had indicated that the town of Om Hager had been 80-per-cent destroyed and that places of worship had been completely looted. The Om Hager assessment mission, conducted jointly by UNHCR, USAID and the Office for the Coordination of Humanitarian Affairs, had reached the same conclusions in its report of 29 September 2000, indicating that the town had been totally depopulated and describing the generalized looting of administrative buildings, the hospital, two schools, shops and places of worship. A report from one non-governmental organization, the Halo Trust, had emphasized that mine-clearance operations and inspections should be completed before any kind of activity could be resumed in the town and its surroundings. A report by Refugees International of 29 June 2000 also described acts of destruction, looting and the desecration of religious institutions in several other Eritrean towns.

46. It had been established that over a million Eritreans, about one third of the population, had been displaced as a result of the aggression and occupation by Ethiopia. About 215,000 people were still living in camps for displaced persons while 100,000 others were scattered all over the country. The needs of all were immense because of the near total destruction of their homes and means of livelihood as well as their hospitals, churches and schools. In addition, it was distressing to note that the occupying Ethiopian authorities were destroying the cultural heritage of most of the occupied territories with the aim of obliterating their Eritrean character.

47. It had been reported that the Eritreans in occupied territories were being expelled from land that they had owned for several generations in order to make way for settlement by Tigrean peasants from Ethiopia. The Special Representative of the Secretary-General on Internally Displaced Persons had considered such practices unlawful and a violation of basic human rights laws. It was obvious that the Government of Ethiopia was employing the displacement of populations and the destruction of occupied towns and villages as well as the destruction of religious institutions as an instrument of war. That constituted ethnic cleansing as defined by international law. The Ethiopian Government was committing extremely serious violations of human rights and humanitarian law, in contempt of the international community and in

disregard of the international instruments it had accepted.

48. Most of the Ethiopians who had been displaced together with their Eritrean neighbours by the Ethiopian occupation now wished to return home; some had been able to do so until the Ethiopian Government had withdrawn its cooperation with ICRC and refused to admit its own citizens. That situation, which had lasted until recently, had been a gross violation of those persons' rights and the rules of humanitarian law. If Governments believed they could commit such acts with complete impunity, it was because they were reasonably certain that the international community would not take meaningful action against them. Unfortunately, the Ethiopian Government would continue committing crimes until such time as the United Nations human rights mechanisms, including the Third Committee, made a tangible and credible response to such barbarism. In Eritrea's view, however, there was no doubt that one day, somehow, the Ethiopian authorities in question would have to account for their acts before an international criminal court.

49. Lastly, his delegation wished to extend its thanks to the countries, agencies and organizations of the United Nations system and non-governmental organizations which were assisting the Eritrean people and had had the integrity to expose the atrocities committed by Ethiopia.

50. **Ms. Brobbey** (Ghana), speaking on behalf of a number of West African countries — Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Guinea, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone and Togo — noted that, in her report (A/55/12), the United Nations High Commissioner for Refugees indicated that the number of people of concern to her Office had increased during the period under review, to 22.3 million in 1999, out of which 2.5 million were from West Africa, and attributed that situation to a systematic violation of human rights and the failure of peace negotiations and accords which had ultimately led to internal conflicts.

51. The fact was that, in West Africa, certain peace accords had been violated in spite of the tremendous efforts that the leaders in the region had put into the restoration of peace. Such accords had not received the required international support to make them sustainable. In that connection, Ghana and the West African countries mentioned, endorsed both the High Commissioner's position concerning the importance of stabilization and post-conflict recovery and the call issued to the international community to adopt regionally-based peace-building strategies to assist regions and countries trying to emerge from the spiral of conflict, poverty and human displacement.

52. In accordance with traditional African hospitality, a number of countries of the region continued to cooperate with UNHCR by providing land and material support for the settlement and repatriation of refugees. However, such assistance had been at considerable cost to the economies of the receiving countries, given their limited resources. The international community's support to West Africa, while it had not been denied, had been inadequate in terms of magnitude and duration. International solidarity and burden-sharing were necessary in dealing with refugee problems. At the same time, the international community must bear in mind the enormous burden of hosting refugees and the environmental degradation occasioned by their prolonged stay on countries which had resolutely embarked on the path of sustainable development. The African countries for whom she was speaking therefore hoped that the international community would enhance its assistance to receiving countries in order to enable the latter to provide adequate protection and assistance to a large number of refugees and displaced persons.

53. While voluntary repatriation was the preferred method of helping refugees to return to their countries of origin, countries such as Benin and Burkina Faso had successfully integrated those refugees who wished to be settled in their countries. However, experience showed that the return of lasting peace and the reconstruction of devastated infrastructures were prerequisites for ensuring that the returns took place in favourable conditions. In that connection, the African countries for whom she was speaking supported UNHCR efforts to bridge the continuing gap in the region between humanitarian and reconstruction activities within the framework of the Brookings process.

54. The countries for whom she was speaking noted with concern that the accepted principles concerning refugee protection were being undermined by the asylum policies of some countries. Possible abuses of international protection norms must not result in the denial of sanctuary to persons fleeing from persecution or armed conflicts in their countries. All countries were therefore urged to refrain from any act that posed a

threat to the personal security of refugees such as expulsion or unjustified detention measures. With a view to the positive application of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, her delegation welcomed the organization of global consultations to promote the full implementation of the 1951 Convention and to develop approaches, tools and standards that would ensure their continuation.

55. Also worrying were the infiltration of armed elements in refugee camps and the kidnapping and killing of humanitarian workers. All States must endeavour to uphold the civilian and humanitarian character of refugee camps and settlements by taking the necessary prevention and protection measures.

56. As for the question of financing UNHCR programmes, the High Commissioner had indicated in her report that her Office's diminishing budget had compelled it to cut back its activities. The African countries for whom she was speaking therefore appealed to all Member States and the donor community to increase their contributions in order to enable the High Commissioner's Office to carry out its mandate effectively. Lastly, those countries expressed their appreciation to UNDP, WFP and UNICEF for the reintegration programmes they had carried out for returnees in Africa. Of particular note in that connection was the assistance provided to countries by UNICEF for the demobilization of child soldiers and their reunification with their families.

57. **Mr. Jayanama** (Thailand) said that, despite years of hard work to resolve the problem of refugees and displaced persons, it persisted and had become even more extensive over the past three decades, Thailand had been host to hundreds of thousands of persons from neighbouring countries and continued to shelter more than 100,000 displaced persons from a neighbouring country. As a host country, Thailand bore an ever mounting burden in terms of administration, personnel requirements, environmental degradation, epidemic control, the security of persons and the negative impact on the local population.

58. Thailand knew from experience that such a situation could not be handled effectively by the country of first asylum alone but rather required the intervention of the international community, in accordance with the principle of burden-sharing. The problem must be tackled in a comprehensive manner, with cooperation from all parties concerned: countries of origin, countries of asylum and countries of final settlement, donor countries, the relevant international organizations and refugees and displaced persons themselves.

59. If aid dried up, the refugee problem could grow even worse. The question was no longer merely one of protecting refugees but rather of being able to prevent large-scale displacement of persons by addressing the root causes, whether they were internal armed conflict, human rights violations, lack of good governance, or forced relocation. That called for genuine cooperation on the part of the countries of origin in rectifying the situations which had caused those displacements. The international community and the international organizations concerned, for their part, should assist those countries as much as possible so that the problem had a chance to be resolved at source. Thailand was fully prepared to cooperate in that effort.

60. In its 50 years of existence, UNHCR had done much in the area of refugee protection. During her term of office, Ms. Ogata had contributed tremendously to the advancement of that cause and the quest for durable solutions. Resolving the problem at source, however, might entail the amendment of the UNHCR mandate.

61. **Mr. de Melo Cabral** (World Food Programme) said that both the World Food Programme and UNHCR were front-line agencies, operating in refugee and displaced person camps, remote locales, war zones and "forgotten" regions, and had very similar priorities and interests. It was essential that they should have access to those in need during a conflict and that the safety of those persons as well as of humanitarian staff working to save lives should be guaranteed. A good understanding of each other's responsibilities and strengths and good mechanisms for ensuring complementarity made both agencies effective, and in fact they collaborated closely both in the field and at headquarters.

62. In the area of field operations, the two agencies had concluded a memorandum of understanding which defined areas for cooperation and which was periodically updated. In operations to provide assistance to refugees and displaced persons, women were a clearly established priority. The effects of operations on the environment were also a major concern for UNHCR as well as the World Food Programme, which had reoriented food-assistance

programmes in many countries of asylum and displaced person host communities in order to help conserve natural resources. An Environmental Review Guideline as well as a number of other operational rules which supplemented the memorandum of understanding had been developed in cooperation with UNHCR.

63. In recent years the two agencies had joined forces in trying to bring attention to "forgotten" emergencies, both in the Humanitarian Liaison Working Group in Geneva and at donor briefings. Another priority of their joint efforts had been to call attention to the issue of staff security. Both agencies had a long list of humanitarian colleagues who had become victims of senseless brutality and given their lives while trying to alleviate human suffering.

64. The international community as a whole had discussed at length the increasingly difficult environment in which humanitarian assistance was provided and the risks to which staff were increasingly exposed. It had become abundantly clear that humanitarian workers and the beneficiaries they were trying to assist had become targets and that the United Nations flag no longer afforded protection.

65. It was for that reason that throughout the current year, a diverse group of humanitarian actors had repeated the same refrain, namely that Member States themselves needed to take action. Both agencies would, for their part, continue to work together to improve staff-security awareness and analyse ways to further improve security. However, no real change was possible without the support of Member States, without the necessary assurances and actions, and without bringing the perpetrators of attacks on humanitarian personnel to justice.

66. **Mr. Bwakira** (Director, New York Liaison Office, United Nations High Commissioner for Refugees) recalled the issues raised by delegations during consideration of the agenda item, and said that UNHCR had been pleased to hear delegations confirm that the 1951 Convention and its 1967 Protocol were the cornerstones of its mandate for the protection of refugees and displaced persons. UNHCR also welcomed delegations' support for efforts to modernize and upgrade its operations and the positive response to the proposed global consultations on international protection, which it hoped would promote the development of new measures to ensure full implementation of the 1951 Convention and make it even more relevant.

67. He recognized the extensive support provided by both host countries and donors and expressed the hope that the pledging conference to be held on Friday, 10 November would provide an opportunity to begin fulfilling commitments for 2001 and establish a solid financial basis for UNHCR operations.

68. UNHCR would continue to keep the Committee and the Security Council informed of refugee situations so that decisions would be based on realities in the field. It would also continue to try to find innovative and sustainable approaches to the problems of refugees and displaced persons and would maintain its dialogue with Governments in order to ensure that they applied the relevant international standards in determining the status of refugees and displaced persons.

Rights of reply

69. **Mr. Akopian** (Armenia), referring to the figure of 1 million Azerbaijani refugees quoted by the representative of Azerbaijan, said he well understood that official propaganda did not want to give up using that impressive figure, especially given the negative reaction of the Organization for Security and Cooperation in Europe to the recent parliamentary elections in Azerbaijan. He nevertheless pointed out that the High Commissioner for Refugees, in table 3 of her report (A/55/12), put the figure at 221,600 refugees and 569,600 displaced persons in Azerbaijan.

70. It was also clear that the Government of Azerbaijan, no doubt reluctant to lose an instrument for political pressure, did not seem really interested in settling the refugee issue, which should not, however, be insurmountable for a country so rich in oil and natural resources and where there was a great deal of foreign investment. Moreover, even without the income from oil, the country could have provided temporary or even permanent housing to Azeri refugees in the 60,000 houses and apartments abandoned by Armenians following the pogroms in Sumgait, Baku and elsewhere.

71. Finally, Azerbaijan used every opportunity to refer to what it called Armenian aggression and to recall that 20 per cent of its territory was occupied, although it took care to avoid mentioning that those territories had been lost as the result of a full-scale war begun by Azerbaijan with a view to the ethnic

cleansing of the Armenian population in Nagorny Karabakh.

72. **Mr. Regmi** (Nepal) expressed concern at the statement by the representative of Bhutan alleging that many Nepalese, because of the poor economic situation in the country, had fled to Bhutan, which had offered them refuge and citizenship. However, those persons in Nepal who were defined as Bhutanese refugees had lived in Bhutan for generations and many had been Bhutanese citizens for decades.

73. With regard to the number of Bhutanese refugees in Nepal, he noted that the High Commissioner, during her introductory statement, had quoted a figure of 100,000 persons. He further stressed that the two countries were conducting bilateral negotiations in an effort to settle that problem.

74. **Mr. Tessema** (Ethiopia), noting that certain delegations had requested his delegation to let the question of the conflict between Ethiopia and Eritrea go to a proper forum for settlement, said he would not have requested the floor but the representative of Eritrea had insisted on trying to rewrite the history of the past two years to suit his case by making false and misleading statements. It was irresponsible to quote United Nations institutions as if they were part of Eritrea's propaganda machine. He added that the United Nations High Commissioner for Human Rights, during her visit to Ethiopia, had had a very constructive dialogue with the Government and had opened a regional office in Addis Ababa. In her introductory statement, the High Commissioner for Refugees had quoted the figures of 1.5 million Eritreans and 350,000 Ethiopians uprooted by the fighting, and had said that a peace agreement between the two parties would not only stabilize the situation in the Horn of Africa but would also have an effect on neighbouring Somalia.

75. The fact was that, after two years of concerted international efforts, the peace offered to the parties had been completely rejected by Eritrea. Ethiopia had merely resisted aggression and exercised its right of self-defence. Although Ethiopian troops were in Eritrean territory, in a temporary security zone, their presence was the result of a ceasefire agreement signed by the two parties and they were waiting to be relieved by a United Nations mission. In the meantime Eritrea continued to herd tens of thousands of Ethiopian civilians into concentration camps, which was why Ethiopia had asked the United Nations and the Organization of African Unity to establish a committee to study that situation.

76. **Mr. Pradhan** (Bhutan) said, by way of clarification, that Bhutan was a small country that belonged to the group of least developed countries and followed a policy of sustainable development focusing on the population. Its resources did not permit it to receive a steady flow of people from South-East Asia, in particular from Nepal, since nearly 25 per cent of Bhutan's population were ethnic Nepalese. With regard to the statement by the representative of Nepal, who had asserted that people of Nepalese origin had been living in Bhutan for generations, it was important to understand that the Bhutanese National Assembly had enacted a citizenship law in 1998 for the specific purpose of granting Bhutanese citizenship to such persons.

77. Furthermore, by no means all persons living in the Nepalese camps were Bhutanese citizens. Some of them, including criminal elements, were persons who had returned to Nepal. The two Governments had already been holding bilateral talks on that subject for some time, and, at the third ministerial meeting, held in 1994, the ministers of the interior of the two countries had clearly acknowledged that situation.

78. **Mr. Malik-Aslanov** (Azerbaijan), replying to the statement by the representative of Armenia, said that, first, in his Government's view the problem of refugees and displaced persons in Azerbaijan could only be settled through the liberation of the Azerbaijani territory occupied by Armenian forces. Secondly, Armenia should confine itself to comparing the numb r of refugees in Armenia and Azerbaijan. Thirdly, Security Council resolutions clearly indicated the need for the unconditional withdrawal of Armenian forces from the occupied Azerbaijani territory.

79. **Mr. Tekle** (Eritrea) said he could hardly see how extracts from statements made by United Nations bodies could be called lies or distortions. The spokesperson for the High Commissioner for Refugees, when referring to the zone occupied by Ethiopia for the past three months, had spoken of the landmines and devastation left by the Ethiopian troops on the border of Eritrea, which had dashed hopes for a quick return of refugees to the war zone. Citing statements made by the High Commissioner on the situation and number of refugees in the Horn of Africa could hardly be called distortions.

80. On the other hand, speaking of misinformation, the remarks which the Ethiopian representative had reportedly uttered in exercising his right of reply on the question of racism came easily to mind.

81. Furthermore, his delegation believed that the Third Committee — since it dealt with human rights issues — was the appropriate forum for hearing the allegations of countries regarding human rights violations. It did not understand how Eritrea could be accused of aggression, since it was Ethiopia that was occupying a part of Eritrea's sovereign territory.

82. **Mr. Akopian** (Armenia) said he agreed with the representative of Azerbaijan that the true cause of the refugee problem was related to the fact that the question of Nagorny Karabakh remained unsettled. However, by hinging the refugee problem solely on a political settlement, Azerbaijan was attempting to use the refugee problem for purely political ends without showing sufficient interest in the humanitarian aspect of the matter.

83. In 1998, the population of Nagorny Karabakh had expressed its desire to exercise the right to self-determination. That had been a legitimate, peaceful process until the massacre of Armenians in Sumgait and Baku, the first instance of ethnic cleansing in Eastern Europe, which had marked the onset of a violent phase of the conflict. The occupied territories and the displaced persons were the direct result of Azerbaijani aggression against Nagorny Karabakh, and there continued to be political forces in Azerbaijan clamouring for a new war. Convinced that there could be no military solution to the problem, Armenia had been calling for a more flexible approach. His Government, along with the authorities in Nagorny Karabakh, had accepted the recent proposals of the co-chairs of the Minsk Group of the Organization on Security and Cooperation of Europe, which they considered to be a realistic effort to find a solution. Azerbaijan, for its part, had rejected those proposals. Armenia nevertheless hoped that the intensive dialogue being conducted by the Presidents of the two countries would enhance the peace process and help to bring about a lasting and comprehensive solution through a resumption of the negotiations within the framework of the Minsk Group.

84. **Mr. Tessema** (Ethiopia) said that his delegation did not contest at all the information that appeared in the High Commissioner's report. Nor did it deny that there were Eritrean refugees in the Sudan or that Eritreans had been displaced. But it reaffirmed that that was a consequence of Eritrea's aggression against Ethiopia.

85. With regard to humanitarian assistance to Eritreans living in the temporary security zone, Ethiopia pointed out that its troops were situated in a particular part of Eritrean territory on the basis of the Agreement on a Cessation of Hostilities concluded between the two countries and pending the deployment of a United Nations mission in the region, which would be necessary in order to oust the army that had occupied Ethiopian territory for the past two years. His delegation wished to reiterate that Ethiopia was not claiming any part of the territory of Eritrea.

86. **Mr. Tekle** (Eritrea) noted with satisfaction that Ethiopia had acknowledged that Ethiopian troops were occupying a portion of the sovereign territory of Eritrea. With regard to the ludicrous assertion that Eritrea was holding Ethiopians in labour camps or other camps in its territory, he pointed out that the representative of the International Committee of the Red Cross in Eritrea had categorically stated that there were two Ethiopian camps in Eritrea, that the Red Cross had full access to those camps, and that they held only about 300 persons. Moreover, the Red Cross, non-governmental organizations, and most recently the Secretary-General's Special Adviser for the Horn of Africa had made visits there. Each had confirmed that those persons were living in the camps temporarily and were receiving good treatment, in accordance with the provisions of the 1951 Convention.

The meeting rose at 12.55 p.m.